

Naval Inspector General



Washington Navy Yard, DC



Conscience of the Navy...Making a Difference!



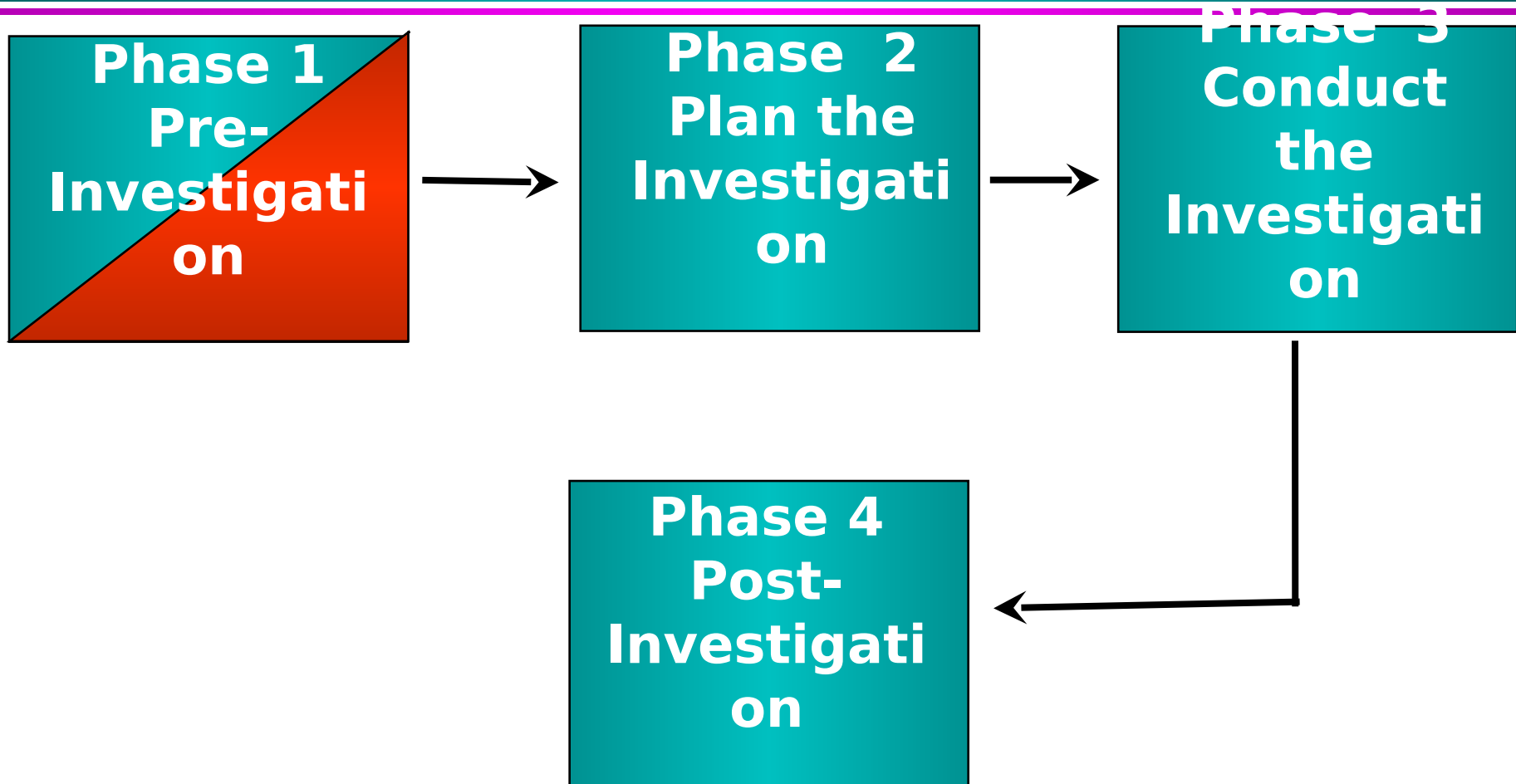
Phase 1: Pre-Investigation

Enabling Learning Objectives

- Describe hotline complaint receipt procedures
- Describe and apply hotline complaint analysis process
- Describe how to address a complaint using one of the 5 types of action
- Write an allegation in the proper format
- Describe the complaint notification procedures



Phase 1: Pre-Investigation Phase Complaint Resolution Procedure





Complaint Resolution Procedure

Phase 1: Pre-Investigation

- Receive the Complaint**
- Analyze the Complaint**
- Draft the Allegation(s)**
- Determine the Action**
- Notify the Complainant**

Phase 2: Plan the Investigation

- Assign the IO**
- Mentor the IO**
- Prepare & Maintain the Plan**

Phase 3: Conduct the Investigation

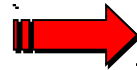
- Gather Information**
- Interviewing**
- Write the Report**

Phase 4: Post-Investigation

- Conduct Quality Review of the Report**
- Notify Complainant & Subject**
- Prepare the Case File for Closing**



Phase 1: Pre-Investigation Complaint Resolution Procedure



Receive the Complaint

Analyze the Complaint

Determine the Action

Draft the Allegation(s)

Notify the Complainant



Receive the Complaint

Source and Subject Matter

- From any source
 - Public citizen, military member, Navy civilian, contractor
 - Higher Echelon IG office
- Via any means
 - In person, telephone, letter
 - Electronic (e-mail, online form, fax)
- About what?
 - DON operations – organizations – functions – personnel



Receive the Complaint

4-Step Hotline Procedure

www.ig.navy.mil

- Determine the best method to address your issue
- Review the Frequently Asked Questions
- Prepare your complaint for submission to an IG
- File a complaint_with an IG



Receive the Complaint

Hotline Complaint Submission Procedures

- Establish a method for direct receipt and processing of complaints at the command level
- Establish dedicated **e-mail** account for individuals to submit complaints - Consider auto-response to e-mails (NAVIGHotlines@navy.mil)



Receive the Complaint

Hotline Complaint Submission Procedures

- Develop **website** that clearly outlines process for submitting hotline complaint (link to www.ig.navy.mil)
- Establish dedicated **local and/or toll free telephone numbers** (OCONUS considerations)
- Establish private **fax** number



Receive the Complaint

Explain the Process

What to tell the complainant

- Explain the role of the IG and hotline process
- Request the complaint in writing w/supporting documents





Receive the Complaint

Anonymity v. Confidentiality

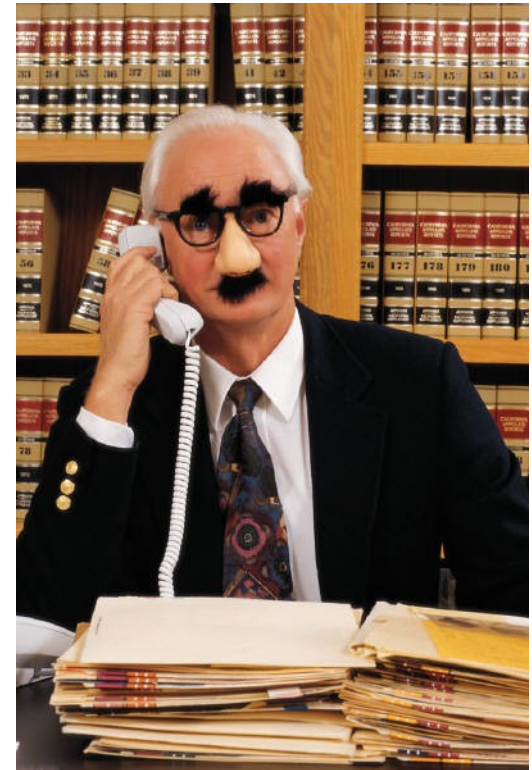
Explain the three ways to file a complaint

- Known -
- Anonymously - An **anonymous complainant** does not provide a name or means of contact and submits the complaint.
- Remain confidential - A **confidential complainant** releases identity to the IG and asks that it not be released.



Receive the Complaint Anonymously

- Anonymous complaint submission
 - E-mail but does not identify him / herself
 - Telephone call or voice mail
 - Letter / Fax





Receive the Complaint

Confidentiality

- A **confidential complainant** may request that his / her identity:
 - Only be released to the investigator
 - Not be released to the investigator
- Remember – the IG cannot guarantee confidentiality





Receive the Complaint

Five W's & How

- **Who** is the subject?
- **To which** command / activity was the subject assigned when the alleged wrongdoing occurred?
- **When** did the events occur? (90-day rule may apply)
- **Where** did the event occur?
- **Who** can corroborate the complaint? Witnesses?





Receive the Complaint

Five W's & How (cont.)

- **How** have you tried to resolve the issue
 - Brought the issue to attention of chain of command?
 - Filed a complaint with another agency / individual?
 - Written your congressman?

We will not initiate an investigation into a complaint that is already being addressed using another process.



Receive the Complaint

Questions to Ask

Complainant is anonymous/confidential (please circle one)

Complainant's Name _____

Contact information (if applicable):

Address _____

E-mail _____

Phone number with area code

Nature of complaint:

Who is the subject and which command/activity? _____

What is the alleged wrongdoing? _____

When did it occur? _____



Receive the Complaint Questions to Ask (cont.)

(4) Are there any witnesses? _____

(5) Who else have you informed regarding this matter? _____

(6) Have you tried to address this issue within the chain of command?

No – Why not?

Yes – Who and when and what was the response

(7) What would you like the IG to do? _____

Date of Complaint: _____

Complaint taken by: _____

Referred to: _____

Navy Hotline Number assigned: _____



Receive the Complaint

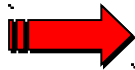
Develop a Plan to Receive Complaints

- Develop Marketing Plan to encourage employees to identify and report fraud, waste and inefficiencies
 - POD/POW Notices
 - Hotline Trifolds
 - Hotline Posters
 - Command Instructions



Phase 1: Pre-Investigation

Complaint Resolution Procedure



- Receive the Complaint
- **Analyze the Complaint**
- Determine the Action
- Draft the Allegation(s)
- Notify the Complainant



Analyze the Complaint

Available Resources

- Use the [NAVINGEN website](#) to research & identify the applicable rules, regulations, instructions, and statutes
- Seek the assistance of the IG, JAG, Command Legal Officer, SME, seasoned investigators

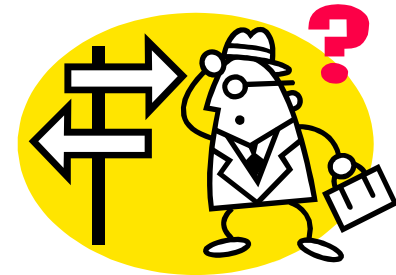
Some issues brought to our attention do not require an investigation. Generally - no standard – no investigation



Analyze the Complaint Appropriate for Investigation?

- Is the matter appropriate for an IG investigation?

...If so, what rules, laws, regulations, or command instructions apply?





Analyze the Complaint Appropriate for Investigation

- Abuse of Title or Position
- Bribes / Kickbacks / Acceptance of Gratuities
- Conflicts of Interest
- Ethics Violations
- False Official Statements/Claims
- Fraud
- Gifts (Improper receipt or giving)
- Improper Referral for Mental Health Evaluations
- Mismanagement/Organization Oversight (Significant Cases)
- Misuse of Official Time, Gov't Property, Position and Public Office
- Political Activities
- Purchase Card Abuse
- Reprisal (Military Whistleblower Protection)
- Safety/Public Health (Substantial/Specific)
- Systemic Problems
- Time and Attendance (Significant Violations)
- Travel Card Abuse
- Travel Fraud (TDY and TAD)
- Waste (Gross)



Analyze the Complaint

Appropriate for the Chain of Command?

Are some issues appropriate for the chain of command?

The chain of command is the appropriate venue for many complaints.

- Minor time and attendance violations
- Minor mismanagement issues
- Counseling for unsatisfactory performance



Analyze the Complaint

Appropriate for the Chain of Command?

- Command grievance procedures for military personnel
 - Supervisor, division officer, division chief, Command Master Chief
 - Informal complaint resolution process – Sexual Harassment / EO complaint
 - Request mast
 - UCMJ Article 138 or NAVREG Article 1150 complaint



Analyze the Complaint

Appropriate for the Chain of Command

- Command grievance procedures for Navy civilian personnel
 - Supervisor(s)
 - Human Resource Office (HRO)
 - Human Resource Service Center (HRSC)
 - Arbitration / mediation



Analyze the Complaint

Appropriate for Alternate Complaint Processes?

Are some issues appropriate for an alternate complaint resolution process?

- Refer some matters to another agency or grievance process for resolution



Analyze the Complaint

Appropriate for Alternate Complaint Processes?

■ **Military Members**

- Correction of military records (BCNR)
- Disputed pay issues - travel claims and per diem (DFAS, PSD)
- Discharges awarded by court martial (BCNR)
- Dependent support (NLSO legal assistance or civil court)



Analyze the Complaint

Appropriate for Alternate Complaint Processes?

- **Navy Civilian Employees**
 - Merit Systems Protection Board (MSPB)
 - Office of Special Counsel (OSC) – reprisal
 - Equal Employment Opportunity (EEO)



Analyze the Complaint Appropriate for Special Handling

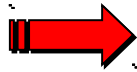
If the allegation involves any of the following, **STOP** the inquiry and immediately contact the appropriate office.

- Military Whistleblower Reprisal (NAVINSGEN or DoD IG)
- Improper Referral for Mental Health Evaluation (NAVINSGEN or DoD IG)
- Suspected Criminal Activity (NCIS)
- Senior Official Misconduct (NAVINSGEN)
- "0-6 in command" investigations (NAVINSGEN)





Phase 1: Pre-Investigation



- Receive the Complaint
- Analyze the Complaint
- **Determine the Action**
- Draft the Allegation(s)
- Notify the Complainant



Determine the Action Transfer

Transfer – ownership of the complaint to another Navy IG command

NAVINSGEN
to Echelon 2
IG



Echelon 2 IG
to lower
Echelon IG





Determine the Action Assist

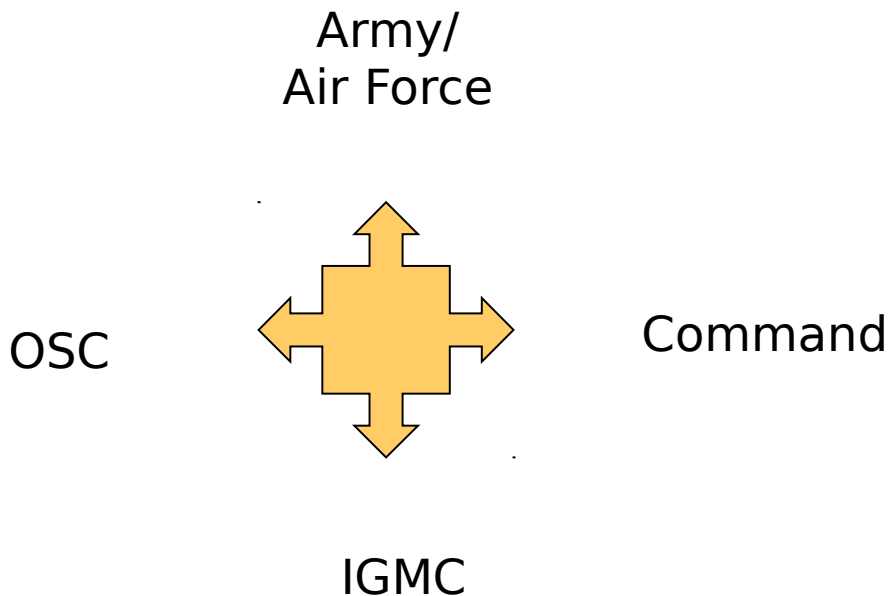
Assist – IG helps the complainant by informing them about alternative complaint processes or means to resolve the complaint.





Determine the Action Refer

Refer - outside of Navy IG channels to another service
IG or agency





Determine the Action Dismiss

Dismiss – close based on insufficient information in the complaint, or the complaint is frivolous or untimely

No further action required.

Except... make sure you

document the receipt of the complaint!



Determine the Action Investigate



Investigate – IO tasked to conduct an investigation

- Preliminary Inquiry
- Full Investigation

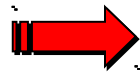


Phase 1: Pre-Investigation Complaint Resolution Procedure

A graphic consisting of a square divided diagonally from the bottom-left to the top-right. The upper-left triangle is teal and the lower-right triangle is red. The text "Phase 1: Pre-Investigation" is written in white, with "Phase 1:" and "Pre-" on the teal background and "Investigation" on the red background.

Phase 1: Pre- Investigation

- Receive the Complaint
- Analyze the Complaint
- Determine the Action
- **Draft the Allegation(s)**
- Notify the Complainant





Draft the Allegation(s) Investigate

■ **Allegation** (Definition)

- Declaration or assertion of fact that if proven constitutes adverse information

■ **Framing the Allegation** - Single most important factor

- Stated in the IO's words (not complainant's)
- Single subject / single wrongdoing
- Linked to a policy, statute, regulation / rule
- Date or time frame



Draft the Allegation(s)

- Review documentation (Complaint, attachments)
- Understand the allegation: who, did what, in violation of what, when
- Understand the rules & regulations



Draft the Allegation(s)

Who: Someone (the subject)

Did what: improperly did, appeared to do, or failed to do something (a single act or omission)

In violation of what: in violation of some standard (the law, regulation, or policy)

When: what date



Phase 1: Pre-Investigation



- Receive the Complaint
- Analyze the Complaint
- Determine the Action
- Draft the Allegation(s)
- **Notify the Complainant**





Notify the Complainant Acknowledge Receipt

IG sends a letter or e-mail to the complainant (if known) to inform him/her the complaint was:

- Referred
- Transferred
- Dismissed
- Investigated

Or, Assists the complainant



Phase 1: Pre-Investigation Complaint Resolution Procedure

**Pre-
Investigation
n
Completed!!**
!

Receive the Complaint

Analyze the Complaint

Determine the Action

Draft the Allegation(s)

Notify the Complainant



Phase 1: Pre - Investigation Complaint Resolution Procedure

Questions??